3:Westermann E-5 (1910) 1912 F323 Shilluk F323



right to the throne. If all the sons of a king die, before it is the turn of one of them to become king, that family loses its royal prerogatives. A left-handed or otherwise deformed man cannot be crowned. When from such or a similar reason the son of a king fails to be crowned, his posterity loses the right to the throne.

As a rule only a man can be king; though once a queen reigned, she apparently did not command a great authority, vide page 149; and it is characteristic that in the lists given by Bandelier and Dr. Giffen her name is not mentioned.

The way in which the king is elected, vide page 110 ff. Of course frequently party intrigues are at work on these occasions, and it may have been not quite an uncommon occurrence that there were several candidates for the throne, supported by different factions; sometimes there were even two kings, residing in different places of the country.

POWER OF THE KING

The power of the king was, previous to the British occupation, absolute; he disposed on life and death of his subjects. The subjects had to pay heavy taxes in cattle, dura, beans, skins for clothes, and under certain circumstances, in persons also.

JURISDICTION

All judicial cases may be brought before the king, with whom lies the final decision. They have no unwritten code of law, providing fixed penalties and fines. Cattle thieves were formerly killed on the spot by the owner of the stolen property. If the *thief* escaped, but was located with the stolen thing, the owner demanded it. In case the *thief* refused to give it up and the owner was unable to get it by force, he then reported to his *chief*, and if he failed there, the matter went to the king, who punished the man perhaps by taking his property and some girls from his village for himself.

In the case of certain infractions of the law the convict becomes the slave of the king, and could no more return to his home. These slaves are known as *tyqi ovpi* ("men of crime") or *adjoy*. The king gives to such a man a wife. Their children are slaves at the royal court and are called *adjoy*. To the male descendants of such the king gives wives, and the females are taken to be given to male members of the *adjoy* class as wives. If the king does not have enough girls in the *adjoy* class to supply all the young men with wives, he buys free girls for the purpose, their descendants become also slaves.

In some cases the criminal becomes the slave of a *chief*; these are also called *adjoy*.

Murder cases were tried by a court of *chiefs* and the king. If the man was condemned, he was disgraced in many ways before the people. Sometimes he was led about the village with a cow-rope around his neck, and then executed by hanging. If a man was executed on account of a crime, his whole family

3:Westermann E-5 (1910) 1912 F323 Shilluk F323



DIVISION OF THE COUNTRY

and everything he possessed became the property of the king.

The country is divided into 63 districts (vide page 127), every one of which is presided by a *district chief*; each village again has its own chief. The district and village chiefs are appointed and may be deposed by the king. Quarrels and law-suits may be judged by the local or *district chief*, but an appeal to the king is always possible. Common affairs of a village and minor juridical cases are judged by the local chief together with the old men of the village. They sit on such occasions in a circle in the village yard, in the shade of a tree, if there is one. If the meeting is secret, or if the weather is bad, they assemble in the cow-house.

## VI. ETHNICAL COMPONENTS OF THE SHILLUK PEOPLE.

EARLY INHABITANTS OF THE COUNTRY

When Nyikang arrived in what is now the Shilluk country, the latter was inhabited by other tribes, who probably were partly of dark, and partly of fair colour. These inhabitants were either expelled or subdued and then incorporated into the Shilluk nation. This process is closely reflected in the traditions. Among others Nyikang found the "red strangers" in the country, which he either destroyed and made them tributary, or drove out of their residences (vide pages 163 ff). These "red strangers" seem to be Arabs. But apart from them the traditions speak of blackskinned beings who were partly men and partly animal; Nyikang fought with them, and when defeated, transformed them into real men and settled them in villages. They are probably the original negro inhabitants of the present Shilluk country, who up to this day form the essential part of the Shilluk people, a discrimination being made between them and the "people of Nyikang."

SOCIAL ORGANISATION

The latter form, as to say, a nobility. The first in rank is the royal family and all members of it, that is all persons who can claim descendency from Nyikang. The male members of the royal family bear the title *Kwe* = "descendant of the king", and are shown special deference. In several of the historical traditions the king or the royal family expressly distinguish themselves from the common Shilluks; in these connections the name "Shilluk" is even used in an elusive way: "merely a Shilluk", vide page 133. Probably the name of the Shilluks rightly means "black"; in some nearly related languages the word has this meaning. This makes it probable that Nyikang and his people, or, the members of the royal family, were originally of lighter colour, so only this would give them a reason for calling the population they found inhabiting the country, "blacks".

there may be a dependent relative or friend. A man's sons live in his homestead until they get married; if their father is dead, they live in the gol of their eldest brother or in that of their father's married brother. The owner of the homestead is the head of the gol; he holds the cattle belonging to the unit and is responsible for the behaviour of the members of his gol. He has to pay cattle in compensation for any wrong which may be committed by any of the members.

*The Hamlet (yiw)*

Hamlets are built about 100 yards apart on high ground parallel to the river. They vary considerably in size according to the number of homesteads which compose them. The homesteads of a hamlet are grouped round a cattle kraal containing a hut which shelters all the herds in the rainy season. The byre and hut are used as the general meeting-places and social centres for the inhabitants at all times and guests are entertained there. There is often a gate, a hut with an surrounding fence, which is used as a dormitory by the unmarried men. The hamlet is a homogeneous unit being an extended family group or a small lineage.

*The settlement (yoth)*

The settlement consists of a number of hamlets, occupied by different lineages. There are several hundred settlements, often not spatially distinct from one another. There is, however, a structural division which is recognised by the people themselves in referring to the settlement units. In spite of lineage differentiations within each settlement, all unite to defend the whole, all take part in the ritual of the age-set organisation, all participate in the settlement's relations with other settlements and all acknowledge a common chief.

The lineage organisation within a settlement revolves round two recognised types of lineage: the *dyil* and the *nedh*. It is said that Nyikang, the Shilluk culture hero and founder of the present Shilluk tribe, originally granted each settlement to a clan. The surviving descendants of the grantees are considered the 'owners of the soil' and are termed *dyil* to distinguish them from lineages which settled on their land later and which are called *nedh*. If the original owners of the land are extinct, the *nedh* lineage next in importance takes their place and becomes *dyil*. The members of the *dyil* lineage are closely associated with the land they occupy and are accorded considerable prestige and authority in virtue of their position and this association. The *dyil* form the core of the settlement and political activities revolve round them. The *nedh* lineage members are not socially inferior, but the *dyil* lineages have greater prestige and are expected to be the leaders in important matters in the settlement. For this reason the *dyil* of a settlement is the 'dominant lineage'.

The chief of the settlement, the *reth*, is taken from the *dyil* lineage. In practice, it occasionally happens that the dominant position of the *dyil* lineage is taken over by a stronger, wealthier, and more numerous lineage but, even if dispossessed of political power and the chieftainship, the original *dyil* lineage retains its ritual connection with the soil and also much of its local prestige. This ritual relationship remains so long as any living representatives of the original *dyil* lineage remain.

(c) *Nyareth* - The son of a *Nyareth*.
(d) *Kwanyireth* - The grandson of a *Nyareth*.

In some regions the members of the royal clan have become more numerous than commoners and have supplanted them in the chieftainship of the settlements. This has been possible because the members of the royal clan are rich and tend to marry more wives, and also because of the system whereby the offspring of a *reth* are planted out in various settlements away from Fashoda. When one of the *reth*'s wives is about to give birth to a child she leaves Fashoda and goes to her own village. As soon as the *nyareth* is weaned he is placed in charge of some trustworthy settlement chief, often the mother's brother, and is brought up among his mother's people. When the child grows up and marries he builds a separate hamlet called *po nyireth* (unless he is called on to become *reth*), and thus becomes the founder of a local lineage branch of the royal clan which may eventually grow powerful enough to overthrow the dominant lineage and assume the political aspects of its position in the settlement.

Daughters of a *reth* are not allowed to marry and therefore cannot start lineages which would count as sister's sons to the royal house.

The *Orure*

This clan is separate from the royal clan and consists of the descendants of a disinherited branch. They are few in number and may intermarry with the royal clan. It is said that the *reth* still has the right to disinherit lineages of the royal clan but, apart from one traditional instance, it is not certain whether the right has been exercised. The *orure* are indistinguishable from the commoner clans except for the special functions they perform for the *reth* at his investiture and at the time of his funeral. Traditionally, the *orure* always smother the *reth* when he is ritually killed. The *reth* always takes some of his wives from the *orure*.

The *Kwog Reth*

The *kwog reth* are the personal attendants of the *reth*. Originally they were captives from other tribes but later, volunteers from the commoner clans in Shillukland, if they were poverty stricken, might leave their own clans and become the *reth*'s retainers. In return for receiving cattle to marry with, they tended animals, engaged in building and cultivation and performed all the duties connected with the upkeep of the royal household. Apart from these and their descendants, the *kwog reth* also included all those who were enslaved because their brothers were homicides and those who became possessed by the spirit of *Nyikang*.

The *kwog reth* are a fictitious clan; they cannot intermarry even though there is often no blood relationship among them. The *reth* never marries into the *kwog reth* clan and, as an indication of the impossibility of this, he calls the daughter of a retainer *kwora*, "my grand-daughter".

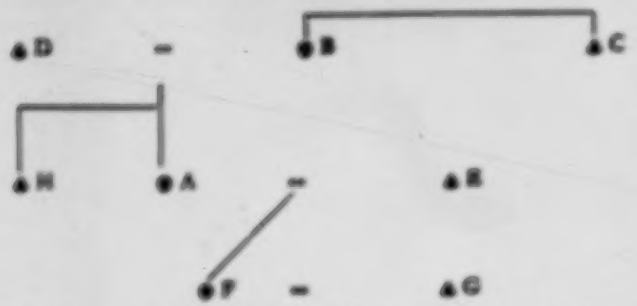
The *kwog reth* live in a hamlet of their own near the capital as much the *reth* resides. When he dies they, together with his eldest widow, go and live near his shrine and look after it. When a *nyareth* is planted out, his father sends some of his retainers to live with him; these become *kwog*

565 614 644 644 614 591 565 644 582 565 614 643 565 644 121 582 567 615 565 644 808 644 565 644 614

8:Howell E-4,5 (1937, 1948) 1953 FJ23 Shilluk FJ23



of the bride. Among the Shilluk no such obligation exists except in the form of a recognized debt, nowadays enforceable in the Courts, which is dependent on the number of cattle which remain outstanding in the bridewealth of the bride's mother.




Thus, in the diagram, from the bridewealth paid by *E* for *A*, no portion will be set aside for *C*, unless the full bridewealth of ten head of cattle was not paid by *D* on his marriage to *B*. Since few Shilluk can afford to hand over ten head of cattle at once, and because there have been periods when there were few cattle to pay, this is the source of much litigation in the courts. At the same time, such debts are not carried forward a further generation. Thus *C* could not claim cattle outstanding from *B*'s marriage on the marriage of *F*, though *H* might do so from the marriage of *A* to *E*.

The pattern of distribution among paternal kinsmen of the bride is relatively simple, which is perhaps natural when bridewealth stands at so low a figure. If alive, the bride's father's father should receive one cow (which would go to his sons by another wife); the bride's father's brothers (her paternal uncles) and even his half-brothers are also entitled to a share. Speaking in conventional terms only, Shilluk say that where a full brother (*uncius*) gets two cows, a half-brother only gets one. In fact none of them are likely to get anything more than a sheep or a goat, for if a man has many brothers and half-brothers there would be little or no cattle left for the bride's father or his sons. Distribution is usually dictated by circumstances prior to the marriage and the pattern of previous bridewealth distributions which create reciprocal rights. From an analysis of some fifty Shilluk marriages, my impression is that this form of distribution is quoted as a convention only and is rarely if ever followed now. As among other Nilotes, uncles and half-brothers within one domestic group are expected to marry in strict order of age. A man will generally expect to marry with the cattle brought in by the marriage of his younger uncles since, if he has one, and, after any deductions which may be necessary to complete the bridewealth payments of the bride's mother and the fulfilment of other debts which may be pressing, he will probably get all the remaining cattle. Though large numbers of sheep and goats[1] are brought in by the marriage, these are not distributed among the bride's paternal kinsmen according to definite claims, nor are they regarded as paid to meet claims which could be interpreted as a survival from times when the

[1] The average seems to be somewhere between fifteen and thirty.

9:Howell E-5 (1937-1950) 1952 FJ23 Shilluk FJ23



daughter, would marry out of the lineage, and her bridewealth would be used to marry a wife from elsewhere. I can quote no actual instances of this custom, but it is in keeping with Shilluk ideas, and I believe it to have been common in the past. The indemnity is known in Shilluk as *col dhom*, ' the replacement of a man '. Although the Shilluk do not have an institution comparable to the Nuer and Dinka custom of ' ghost-marriage ',[1] they certainly consider that the continuity of the kinship group must be assured and the acceptance of an indemnity is primarily directed to this object. A wife married with ' blood-cattle ' is called *nyc wir dhom*, ' the girl in place of the man ',[2] and although she is not married specifically ' to the name of the dead man ', as would be the case among both Nuer and Dinka, the principles are the same. The primary intention in accepting such payments in cattle is therefore to marry a wife into the dead man's lineage, or to acquire a girl who will either be taken in marriage or received as a daughter from whom bridewealth may be expected. Since bridewealth among the Shilluk is more or less rigidly maintained at ten head of cattle, it is logical that the indemnity for homicide should also be ten.

Among many Nilotic peoples in the past there were different rates of compensation for the taking of human life according to the status of the person killed. Among the Shilluk a greater differentiation might be expected, but there is little evidence of this, though Shilluk themselves say that to kill a member of the royal clan would be a serious offence and in the past was likely to call forth a punitive expedition by the *reth*. It is significant that Hofmayr says: ' To wound a royal prince or princess, or a royal daughter or son of a prince, whether it happens accidentally or intentionally, demands a high penalty for the shedding of royal blood (*a nuom*). In 1912 a boy accidentally injured a royal daughter with a spear and caused only a slight flesh wound. He had to pay six head of cattle (two or three to the King, one to the mother of the girl, and one to the Chief of the village).'

There is normally no distinction in the amount of compensation demanded for the death of a woman. A husband who kills his wife is not expected to pay compensation if he has completed the bridewealth payments. When a woman kills someone, her father or legal guardian is held responsible if she is unmarried; a husband is responsible for the actions of his wife.

As among other Nilotic peoples, when homicide is a joint action, the first man to cause injury to the deceased is held to be responsible for his death.

In the peacemaking negotiations described, the ritual acts and ceremonial procedures are reminiscent of those performed by the ' Leopard-Skin Chief ' among the Nuer, and the ' Chief of the Spear ' among many Dinka tribes. These similarities are seen in the public ceremonies rather than in the special ritual performed to relieve the killer of the spiritual contamination which is believed to follow an act of homicide; this is not surprising, since obviously the *reth* could not deal individually with every killer. Further, it is customary for those functionaries among both Nuer and Dinka to take a small proportion[3] of the ' blood-cattle ' in return for their services;

[1] See Evans-Pritchard, *Kinship and Marriage among the Nuer*, pp. 109–12. Oxford, 1951.

[2] Mr. J. L. Baker tells me that children born in such circumstances are known as *okir ot okir* (attending to me) which means literally ' father dead '.

[3] For example, out of a total varying between twenty and forty head of cattle, the Nuer *kuar kwac* takes the *yang kwaac* in return for his services only on the negotiations for peace, the *reath rum* (' bull calf of blood ') and *yang kwac* (' cow of the leopard-skin '), besides two cows which he sacrifices at the ceremony. In some parts of Northern these might

9:Howell E-5 (1937-1950) 1952 FJ23 Shilluk FJ23



a basis for definite conclusions. It is, however, probably safe to say that among the Shilluk homicide is a private delict requiring the restoration of equilibrium by the payment of compensation in cattle. The main object of such payments is to marry a wife into the kinship group of the deceased—rather than individually to the name of the deceased—and thus ensure its continuity and increase, which have been interrupted by the removal of one of its members. Retaliatory sanctions are also operative, in that the duty to take vengeance on the person of the killer or one of his kinsmen is recognized.[1] In principle, there are here no profound differences between the Shilluk and their Nuer and Dinka neighbours. The rate of compensation is governed by the relationship between the parties and thus the offence is subject to social range. Patricide and fratricide, regarded as the gravest possible offences against the integrity of the kinship group, are subject only to supernatural sanctions. These apply within the local lineage in lessening degree according to the relationship between the persons concerned, and the ritual expiation is known in Shilluk as '*cuala ji kipo rwoo*'.

We cannot, however, entirely ignore the strong tradition which prevails among the Shilluk and the views of early writers, that the *reth*, as ultimate authority, had the recognized power to intervene, to enforce such payments and, moreover, to exact additional payments in person and kind amounting to fines which he seized for himself. If we are to believe these traditions, we must conclude that public action against warring factions, whose continued enmity was disturbing the peace of Shilluk society as a whole, was sometimes undertaken. This does not, in my opinion, alter the argument that individual acts of homicide were treated as private delicts involving primarily the restoration of equilibrium between the units of society concerned. If, however, the portions alleged to have been taken regularly by the Shilluk *reth* are regarded as 'fines' paid to the head of the State (though in my opinion this is a wrong interpretation), then homicide among the Shilluk appears to be in a transitional stage between a private and a public delict, and was so even prior to the introduction of penal sanctions by the present Government.

[1] Pumphrey observes: 'It is interesting that where a compensatory payment for killing is due (in contrast to compensation for lesser wrongs) the net is cast wider and not only the lineage, but even members of other lineages of the same clan are expected to contribute.' Op. cit., p. 63.

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11: Oyler M-5 (ca. 1918)1919 FJ23 Shilluk FJ23



The natives weave their hair into fantastic shapes. If a person has very fine hair, he puts a few thorns in it to keep off the evil eye. Should the evil eye fall on his hair, his head would break out in sores.

When a person has his body well oiled or covered with some fine ashes he is very likely to have the evil eye cast on him. To escape that misfortune he takes a cucumber like pod from a wild plant, and takes out the seeds. Some of the seeds are put on the temples, and some on the neck, and others on the tip of the shoulder blade, or the entire fruit may be worn suspended from the neck.

When butter is boiled to clarify it, the work is usually done at night so that the evil eye may not be cast on it.

The Shilluks will not say that they are in good circumstances, lest it be heard by some envious person, and he should cast the evil eye on their possessions. When a rich man is asked in regard to his property, he usually says I have one or two cows, but they are very poor cows.

The parents of a very fine looking child do not like to let people see it for fear someone will cast the evil eye on it, and the parent is very angry when someone comments on the good appearance of the child. Should the child be taken sick, the parents call on the person who made the remark, and demand that he pay the fine required when a person is killed. The accused usually holds out, and a compromise is affected. He brings a sheep, and one of its ears is cut off. The sheep then is a witness against the man, and by doing that, he assumes the responsibility for the child. If it dies, he pays the fine as though he had killed it. Even if the child reaches maturity and dies, the man is responsible and must pay the fine.

Frequently people have hard knots in their flesh. These are really stones that have been put there by someone with the evil eye. The swellings do not disappear.

The Shilluks have a custom that when a person is threshing his grain, they go to beg from him. Sometimes they go in such numbers that the man has very little left for himself, but he does not dare to refuse for fear someone in the party may cast the evil eye on him. He gets even by going to beg from some other person.

They give a few warnings as to conduct when with a person who has the evil eye.

11; Oyler M-5 (ca. 1918)1919 FJ23 Shilluk FJ23



## II. — THE EVIL MEDICINE MAN.

The Shilluks believe that occult power of a malignant nature is possessed by a certain class of men. The man with this power is called *jal yet* (the first *a* as in hat, the second, as *a* in father and the *t* is a dental). It means the man of the tree, or medicine, as *yet* means either a tree, or the injuring or healing powers of certain compounds, which are usually derived from trees.

The men of this class are all born with the distinguishing mark. Three different marks divide them into three divisions. The first have but one testicle showing in the scrotum; the second have two, but they are very small, and the third have none. The first class is the more numerous, and are the dominating class. The members of the first and second class are supposed to be equal in the manifestation of their powers, but the third are more powerful.

Children born marked as evil medicine men are thrown into the river at birth, which is called sending them to their own country. The father alone has the power to spare his son in such a case.

The young wife always returns to her own home to give birth to her first child. After that she may either remain in the home of her husband, or go to her old home, but in either case a few hours after the child is born a number of men come to the door of the house and sit down. If the husband is in the village, he is one of the number. If it is in the women's house, her relations go through this formality. The men say: «What is it?». If the women within reply «a boy», the men then ask: «Is it good?». If the women reply immediately «it is good», the men go away happy, but if the women hesitate or answer: «It is bad», the men go in to investigate. If they find that the child is an evil medicine man, they immediately begin to go through certain forms. When the child is born in the wife's old home, a messenger must be sent off to the father. Should the messenger merely say that a son has been born, and not tell of his deformity the husband can recover part of the cattle he has paid for his wife, and his relatives-in-law become responsible for any damage the child may do. When the father is told that the child is bad, he usually says it must be killed. He

11: Oyler M-5 (ca. 1918)1919 FJ23 Shilluk FJ23



672 fears to trust his relatives-in-law lest they yield to the pleadings of the
815 mother, and so he sends a messenger to see that the child is killed. Should
817 the father permit the child to live, he is responsible for all the evil done by him. If the father is present, he gives immediate judgment, and if it is for death, the sentence is carried out immediately.

815 The helpless child is always killed in a certain way. A little basket is
817 woven, and the child placed within, and then the top is also woven shut. The basket is then put in a boat, and taken to the middle of the river, where it is committed to the water. The basket is a necessity, as they think that the powers of the baloe are such that without the basket to restrain him he would immediately swim ashore, and escape.

812 When the evil medicine man is not killed, his mother loses the power to
815 become a mother again, and when she weeps for the death of the little one, her next child will be deformed in the same way.

682 If the father spares the child, and someone else kills it, the murderer must suffer the usual punishment for murder, which can usually be atoned for by a fine.

759 After an evil medicine man has reached maturity, he can not be openly
647 killed except under certain conditions. The people of his village may tire
683 of his evil practices and conspire to kill him accidentally. To accomplish that end they invite him to join them in the chase, and they manage to get him well to the front. When he is in the right position, they all throw at the animal, but he is their real target. When he falls, the men all cry out: "An accident", and no one is responsible for his death. They do not seek to kill such a person in their local fights lest their own side be thrown into disorder.

759 This occult power is not hereditary, but many think that the mother of an evil medicine man has some occult power, if her husband is out of that class. She does not work as the men do, and the majority seem to think that such a mother is not tainted.

The evil medicine man always works on his own initiative, and never at the request of another, and for that reason he never receives fees. He uses as his tools, owls, snakes, eggs, rotten apples, lizards, and crows. The medicine or power in these agents is the same as the power belonging to the man, and in action unite with his power to work evil.

The homesteads are arranged in roughly horse-shoe shape around an open space in which are tethered the sheep and cattle of the hamlet. Within this space is usually a very large hut (*luak*) used for animals in the rains and throughout the year as a guest-house and general village club. There is also usually a normal sized hut, with no surrounding fence, known as the *gew*, which is used as a dormitory by the unmarried men. In this hut are put the ashes of the cattle dung with which the young men cover themselves at night for warmth and protection from flies. Some villages have a tree in the central circle, but more often there is a complete and inhospitable absence of shade.

The homestead (*gol*) consists of two huts between which is an area enclosed by a fence of dura stalks or rough grass matting. The family group inhabiting the homestead is called also (presumably by transference) *gol*, and it is in this latter sense that the word *gol* will be used in this note.

In this sense *gol* is the smallest (though important) social unit in the tribe. An unmarried man does not own a homestead. All unmarried persons live in the homestead and adhere to the *gol* of their father. If their father is dead they adhere to the *gol* of their eldest married brother or, if they have none, to their deceased father's (married) brother. The owner of the homestead to which they adhere is the leader of their *gol*, and as such is responsible for the behaviour of its members. This vicarious responsibility on the part of the *gol* leader is a corollary to the principles of the ownership of cattle (and sheep). The cattle of the *gol* are owned and disposed of by the *gol* leader alone, and since the remedy for a wrong is a payment of cattle it follows that he and not the actual malefactor is held responsible. The position resembles that of the Roman family where the *pater familias* alone is *sui juris*, all others being *alieni juris*. The Shilluk *filius familias*, however, becomes *sui-juris* on marriage which the Roman son did not. The vicarious responsibility of the *gol* leader has the convenient aspect that the *gol* leader is more easily found by the arm of the law than the actual malefactor because of the fact that he owns a homestead.

17: Pumphrey G-5 (1934-1938) 1941
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## CHAPTER 5.

### Customary Law.

**Property.**

Since the *Kwor* entire has been split into lineages within the various settlements the ties of clan have become weaker and now operate practically only within the settlement. *Pari passu* with this slackening of the ties of the clan has occurred a change in the ownership of cattle[1]. Possibly the clan used to own cattle in a communal herd from which were disbursed cattle in return for wives from another clan. At present the cattle of each hamlet are kept rigidly apart and not even within the hamlet are they communally owned. The *gol* leader alone owns cattle and he alone, as has already been described, can dispose of them. He alone allots cattle as bride-wealth for unmarried male members of his *gol* and receives cattle paid to the *gol*, whether as marriage price or as compensatory payment for a wrong.

It is not perhaps too fanciful to compare his position with that of a trustee towards beneficiaries (who are the members of his *gol*). He is the sole legal owner and can, legally, dispose of them as he chooses. He holds them in fact however subject to a trust which equity will enforce. The terms of the trust are that all cattle shall be applied solely towards the marriages of male members of the *gol* in order of their seniority, that no cattle shall be sold except for the purchase of grain in time of famine, and that the *gol* leader shall not himself marry a second time unless there is no unmarried male member of the *gol* of marriageable age. Any compensatory payment becoming due from the *gol* on account of a wrong should take precedence over any other payment. A breach of these "terms of trust" would be universally censured but would probably not be interfered with by the courts, which tend conveniently to hold that a *gol* leader has full and sole right as to disposal.

It is interesting that where a compensatory payment for killing is due the net is cast wider and not only the entire lineage but even members of other lineages of the same clan may be required to contribute.

[1] Where "cattle" is used in this chapter it may be taken to extend also to grain.